

UNITED STATES DISTRICT COURT  
Northern District of California

GROSS MORTGAGE CORPORATION,

No. C 12-4335 MEJ

Plaintiff,

**ORDER REMANDING CASE**

v.

SABIR AL-MANSUR,

Defendant.

On August 17, 2012, Defendant Sabir Al-Mansur filed a Notice of Removal from Alameda County Superior Court. However, Defendant subsequently filed a "Notice of Voluntary Dismissal." Dkt. No. 6. As there is no authority by which a defendant can dismiss a case without the plaintiff's consent, the Court shall construe Defendant's notice as a request for leave to withdraw the notice of removal. Good cause appearing, the Court GRANTS Defendant's request and REMANDS this case to the Alameda County Superior Court.

**IT IS SO ORDERED.**

Dated: August 27, 2012

  
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Maria-Elena James  
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

GROSS MORTGAGE,

Plaintiff,

v.

SABIR AL-MANSUR et al,

Defendant.

Case Number: CV12-04335 MEJ

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 27, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Sabir Al-Mansur  
2419 Market Street  
Oakland, CA 94607

Dated: August 27, 2012

Richard W. Wieking, Clerk  
By: Rose Maher, Deputy Clerk